



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

January 8, 2008

Eulau

Mayor Wells called the meeting to order at 7:00 pm.

PRESENT: Mayor Judee Wells, Councilmembers Steve Eulau, Richard Leider, Aaron Sharp, and Bruce Young.

EXCUSED: Councilmember Carol Clemett.

STAFF: Clerk-Treasurer Sue Ann Spens, Water Dept Supervisor Bob Durr.

GUESTS: Tom Stowe, Paula Dix.

OATHS OF OFFICE: Clerk-Treasurer Spens administered the Oath of Office to Councilmembers Young and Eulau.

MINUTES: Councilmember Leider moved to approve the December 11, 2007 minutes as amended. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

WARRANTS: Councilmember Leider moved to approve the December 31, 2007 warrant list, including warrant numbers 7543 through 7557, in the amount of \$13,765.30.

Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Councilmember Leider moved to approve the January 8, 2008 warrant list, including warrant numbers 7558 through 7568, in the amount of \$6,915.00. Councilmember Eulau seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

After a brief discussion of the financial status of the building department, it was the consensus of the Council that they wish to receive a quarterly report that includes a current permit log and a summary of fees collected compared to costs incurred. Councilmember Leider and Clerk-Treasurer Spens will work to prepare a report for 1Q2008 to distribute for Council review at the April 2008 Council meeting.

CLERK'S REPORT:

COUNCIL PARTICIPATION ON TREE COMMITTEE: Clerk-Treasurer Spens stated that she asked Town Attorney Stewart if there were any Appearance of Fairness or other issues that might be raised because two members of the Council sit on the Tree Committee. She reported that Town Attorney Stewart's response was that the arrangement poses no problems from an Appearance of Fairness standpoint, because the actions proposed by the Tree Committee are legislative rather than quasi-judicial. She added that he strongly recommends

that the Planning Commission hold another public hearing on the proposed legislation before passing it with their recommendations to the Council, because the proposed ordinance has changed significantly since the November public hearing. After some discussion about whether the second public hearing was truly needed, it was the consensus of the Council to ask the Planning Commission to conduct one more public hearing so that all residents have adequate opportunity to review the proposed legislation and comment upon it formally.

CENTENNIAL PARK INSURANCE QUESTIONS: Clerk-Treasurer Spens reported that she discussed the proposed park layout with our insurance carrier, AWC Risk Management. Brenda Mingo of the AWC RMSA says we would not see a premium increase unless we experienced a claim as a result of the proposed improvements, even if the Town decides to allow a basketball court. She added that Ms. Mingo suggests that we report all volunteer hours associated with improvements for the park or any other Town activities (e.g. Town clean up) to L&I so that the State's Worker's Compensation system will cover any injuries that may happen to a resident while engaged in a volunteer activity. Clerk-Treasurer Spens will ask the leaders of all volunteer activities to help in this reporting.

2005-2006 AUDIT: Clerk-Treasurer Spens reported that the State Auditor's Office is ready to schedule the exit conference for the Town's 2005-2006 audit. She will distribute an email with possible dates and times to coordinate Town representation.

WATER REPORT: Water Dept. Supervisor Durr reported that he is working on the Town's annual water-consumption report for the state Department of Health and asked Clerk-Treasurer Spens for water-sales totals for 2007. He also reported that the Evergreen Rural Water Association has helped look for unidentified leaks in our system.

MARSHAL'S REPORT: No report.

WABA REPORT: No report.

EMERGENCY PREPAREDNESS: No report.

PRESENTATION BY JOHN ROSE: Mayor Wells invited John Rose to proceed with his remarks.

Mr. Rose opened by explaining that he was approached by several members of the Council who told him of Mayor Wells' plans to resign and asked if he would be interested in serving as Mayor. He commented that he is excited about the possibilities of the appointment, but wants the process of selecting Mayor Wells' replacement to be open and transparent, which is why he asked that the agenda include an item about his appearance tonight.

Mr. Rose then went on to outline why he is excited about the prospect and why he thinks participating in local government is important. He also emphasized the importance of open discussions among the Councilmembers and with Town residents and of encouraging all residents to take responsibility for their governance by actively participate in solving any and all challenges the Town may face. He added that he sees the two biggest responsibilities of

all residents as (1) the responsibility to volunteer and (2) the responsibility to respect our neighbors.

Mr. Rose then stated that he believes government should be run with a light touch by keeping taxes low and regulatory interference to a minimum. He added that we all should find ways to be sensibly green by focusing our efforts on actions that will improve the planet not just those that will garner votes. He noted that along those lines he thinks the Town should put effort into improving our storm sewer system, re-examining ways to provide high density housing on a small scale, and influencing METRO to increase bus ridership.

Mr. Rose concluded his remarks by thanking the Council for their time.

MOTION: Councilmember Leider moved to appoint John M. Rose as Mayor effective as of the end of tonight's meeting for the remaining two years of Mayor Wells' unexpired term. Councilmember Eulau seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

PROPOSED RESOLUTION NO. 240 REGARDING A REGIONAL AFFORDABLE HOUSING PROGRAM: Clerk-Treasurer Spens reminded the Council that the Town has participated in this countywide agreement since 2003 because our participation in the program makes King County eligible for more funding, even though the Town does not benefit directly from the program. She added that there is no cost to the Town for its participation.

She explained that this agreement came before the Council last September but was tabled because Art Sullivan, director of A Regional Coalition for Housing which serves as the Town's representative to the County on this issue, felt that the agreement was ambiguous in several areas. She further explained that Mr. Sullivan is now satisfied with the agreement and that he is urging cities to execute it.

MOTION: Councilmember Leider moved to adopt Resolution No. 240 authorizing the Mayor to execute an Interlocal Agreement with King County for a Regional Affordable Housing Program. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

PROPOSED RESOLUTION NO. 241 APPROVING THE ARCH BUDGET AND WORK PROGRAM FOR 2008: Clerk-Treasurer Spens explained that the Town has participated in A Regional Coalition for Housing (ARCH) for more than ten years as a means of satisfying the state's Growth Management requirement that all cities provide for affordable housing, either directly or indirectly. She also noted that the documents that accompany this agenda item came to her just before this meeting, so she hasn't had adequate time to review them. It was the consensus of the Council to table further discussion of this item until February to give Clerk-Treasurer Spens time to review the fees proposed in this budget and compare them to fees paid by the Town in prior years.

PRIVATE IMPROVEMENTS ON TOWN ROWS: Councilmember Sharp described the

revisions he made to the Right-of-Way Use Outline he distributed last month and asked for additional feedback. After some discussion, it was the consensus of the Council that the outline is ready to forward to the Planning Commission.

Mayor Wells inquired if we are asking the Planning Commission to determine whether a problem exists. Councilmember Leider answered that the Council thinks a problem exists and wants the Planning Commission to study it and develop regulations for the rights-of-way regarding appropriate uses, what permission is needed, etc.

Councilmembers Sharp will draft a memo to the Planning Commission to accompany the outline and Clerk-Treasurer Spens forward the memo to them with the following attachments:

- A clean copy of the ROW Use Outline.
- A copy of Town Resolution No. 66.
- A synopsis of the Council's discussions of this issue (to help the Planning Commission understand the Council's concerns).
- A copy of Bellevue's documents describing their Neighborhood Character Project.
- A copy of the Town survey that shows the ROW encroachments that existed at the time of the survey

TREE MANAGEMENT PLAN: Councilmember Young reported that the Planning Commission will not be able to hold their public hearing until late January at the earliest. Clerk-Treasurer Spens asked the Council if they wish to schedule their own public hearing for the February Council meeting. It was the consensus of the Council to wait until the Planning Commission has completed their work and has forwarded their recommendations to the Council before scheduling a public hearing for the Council. The Council feels that giving the Planning Commission the full amount of time they need to study the proposed legislation and consider all of its aspects rather than trying to rush them into a decision best serves the Town and its residents.

UNDERGROUND UTILITIES: Councilmember Leider reported that he wants to review this project and its status with the newly-appointed Mayor before proceeding further. He added that if the Town is going to upgrade our storm-sewer system in the near future, both projects should be coordinated to minimize cost and disruption.

MAYOR AND COUNCILMEMBER REPORTS:

TREE WORK: Councilmember Young reported that dead branches and a small dead maple were cleaned up along 108th near Pitt Park. He also reported that the cabling of several trees that was recommended in the recent Hazardous Tree Survey has been completed and that PSE is looking at re-routing its electrical lines to eliminate the need to disconnect/reconnect every time one of the trees needs to be re-cabled.

TREE ON ROW NEAR HEISER PROJECT: Councilmember Sharp reported that he has reviewed the situation with the ROW tree next to Heiser that was affected by construction activities on that lot and recommends that the Town authorize Mr. Heiser to remove the damaged tree and replace it at his expense and as set forth in Councilmember Sharp's letter.

It was the consensus of the Council to authorize Councilmember Sharp to proceed pending a decision from the Town Attorney about minimizing the Town's liability, whether the Town should do the work and seek reimbursement, what sort of documentation to require of Heiser before authorizing the work, etc. Clerk-Treasurer Spens will check with Town Attorney Stewart about these issues and forward answers to Councilmember Sharp.

MAYOR WELLS RESIGNATION: Mayor Wells reported that she is pleased that the Council has appointed John Rose to replace her, and she tenders her resignation effective immediately. She added that she has enjoyed working with everyone on the Council. The Council responded that they have enjoyed her leadership and participation over the years, will miss her, and wish her well.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council that the next regular Council meeting is scheduled for February 12th at Carol Clemett's house.

ADJOURN: Councilmember Eulau moved to adjourn the meeting at 9:05pm. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer